

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Senate Bill 538 be amended to read as follows:

- 1 Page 3, after line 37, begin a new paragraph and insert:
- 2 "SECTION 3. IC 31-34-1-16 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2001]: **Sec. 16. (a) The division of family and children may not**
- 5 **initiate a proceeding to terminate the parental rights relating to a**
- 6 **child or require a parent, guardian, or custodian to transfer legal**
- 7 **custody of a child, if the child:**
- 8 **(1) has a physical or developmental disability or an emotional,**
- 9 **behavioral, or mental disorder; or**
- 10 **(2) is voluntarily placed out of the home for the purpose of**
- 11 **obtaining special treatment or care;**
- 12 **solely because the parent, guardian, or custodian is unable to**
- 13 **provide the treatment or care.**
- 14 **(b) Termination of the parental rights relating to a child or the**
- 15 **transfer of custody of a child may not be a condition for the**
- 16 **provision of services or care delivered or funded by the division of**
- 17 **family and children.**
- 18 **(c) If a child is voluntarily placed out of the home to receive**
- 19 **special treatment or care, the division of family and children and**
- 20 **the parent, guardian, or custodian of the child shall execute a**
- 21 **voluntary placement agreement that:**
- 22 **(1) contains a provision that states that legal custody of the**
- 23 **child is not transferred to the division of family and children;**
- 24 **and**

- 1 **(2) delineates the responsibilities and rights of the parent,**
- 2 **guardian, or custodian."**

(Reference is to SB 538 as printed April 3, 2001.)

Representative Goeglein